

09/982,351

REMARKS

Applicant and Applicant's attorney would like to thank the Examiner for his assistance in the telephone interview of March 10, 2004. Applicant also notes with appreciation the withdrawal of the rejection under §102. A fresh listing of claims is included, and a correction has been made to the listing to indicate that Claims 23-28 were also previously cancelled.

Rejections under 35 USC §112

Claims 22, 36, 37 and 53 remain rejected under 35 USC §112, second paragraph, as indefinite for use of the term "p-aroyl-glutamate". Applicant has renamed this substituent to "4-(1,3-dicarboxyl propyl amino carbonyl) aryl" to more clearly indicate the site of attachment of this substituent to X₂, and the site of attachment of the glutamate to the aryl ring.

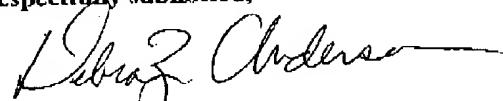
Applicant respectfully submits that one skilled in the art would have understood that the newly named structure was intended with use of the term "p-aroyl-glutamate", and as such is not new matter. For example, the term "p-aroyl-L-glutamate" is shown in US Patent 6,103,727 (also in the name of the present inventor). Table 2 in the '727 patent lists nine compounds, the ninth compound having an R group named as "p-benzoyl-L-glutamate". The ninth compound is drawn out in Figure 2 of the '727 patent, which clearly indicates the site of attachment of this substituent to the primary compound and the site of attachment of the glutamate to the aryl group, in this case a benzoyl group. Thus, there is published information showing unambiguously the use of this term and the associated structure. One skilled in the art could easily translate the structure shown in the '727 patent into the newly named structure, using chemical naming rules. Applicant respectfully submits that the present amendment obviates the indefiniteness objection, and requests withdrawal of this basis of rejection.

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SUMMARY

As all outstanding issues have been addressed, Applicant respectfully submits that all pending claims, Claims 22, 36-43 and 53-58 are now in condition for allowance; such action is respectfully requested at an early date.

Respectfully submitted,



Debra Z. Anderson
Registration No. 44,506
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
Attorney for Applicant

412) 566-1910